

AMENDED IN ASSEMBLY APRIL 28, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 513

**Introduced by Assembly Member ~~Mazzoni~~ Members
Mazzoni, Runner, and Strom-Martin
(Principal coauthor: Assembly Member Alquist)
(Coauthors: Assembly Members Cunneen, Calderon, and
Campbell)**

February 18, 1999

An act to amend Sections 48000, 48010, and 48200 of, and to add Sections 14022.7, 42238.20, 48003, 48010.1, and 48010.2 to, the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 513, as amended, Mazzoni. Pupils: age of admission.

(1) Existing law requires that a child be admitted to a kindergarten at the beginning of a school year, or at any time later in the same year, if the child will have his or her 5th birthday on or before December 2 of that school year. Existing law requires that a child be admitted to the 1st grade of an elementary school during the first month of a school year if the child will have his or her 6th birthday on or before December 2 of that school year.

This bill would instead require that a child be admitted to a kindergarten at the beginning of a school year, or at any time later in the same year, if the child will have his or her 5th birthday on or before November 1 of the school year for the 2000–01 school year, on or before October 1 for the 2001–02

school year, and on or before September 1 for the 2002–03 school year, and each school year thereafter. This bill would also require that a child be admitted to the 1st grade of an elementary school during the first month of a school year if the child will have his or her 6th birthday on or before those dates. To the extent those changes establish new administrative duties on the governing boards of school districts in implementing the changes, they would impose a state-mandated local program.

This bill, for the 2000–01, 2001–02, and 2002–03 school years only, would permit a child who is not 5 or 6 years of age on or before September 1 to be admitted to kindergarten and 1st grade respectively, at the request of his or her parents or guardians. The bill would also authorize the governing board of any school district, for the 2003–04 school year, and each school year thereafter, to establish a district tribunal, with teachers, counselors, and administrators appointed as determined by the governing board, for the purposes of determining on a case-by-case basis whether ~~extraordinary~~—circumstances exist to support the admission of a child to kindergarten in a year in which the child is not 5 years of age on September 1 *or to delay the enrollment of a child who is 5 years of age on September 1 and will be 6 years of age during the school year*, and to determine whether ~~extraordinary~~ circumstances exist to support the admission of a child to 1st grade in a year in which the child is not 6 years of age on September 1. Upon a determination that ~~extraordinary~~ circumstances exist, the child may be admitted to kindergarten or 1st grade.

This bill would impose a state-mandated local program by providing that commencing in the 1999–2000 fiscal year, a school district that offers kindergarten through 3rd grade is required to provide outreach to the parents or guardians of children from 3 to 5 years of age to notify them of the methods available to assist in determining the readiness of their child to enter school and the available child care and preschool programs, and by requiring these school districts to provide assistance regarding preparing children for school to parents or guardians who request assistance, based on generally accepted child development theory.



(2) Existing law sets forth a method for computing the state aid portion of the amount of revenue limit per unit of average daily attendance moneys to be allocated to school districts each fiscal year. Existing law also sets forth a method for computing the average daily attendance of pupils for this purpose. Section 8 of Article XVI of the California Constitution (Proposition 98) sets forth a formula for computing the minimum amount of General Fund revenues that the state is required to appropriate for the support of school districts, as defined, and community college districts for each fiscal year. That formula is adjusted in certain fiscal years for changes in pupil enrollment.

This bill would make various legislative findings and declarations with respect to the impact that the change in the enrollment date for kindergarten would have on the amount of state aid that a school district would receive for revenue limit purposes and the amount that the state is required to appropriate for the purposes of meeting the state's minimum funding obligation to school districts, as defined, and community college districts, under Proposition 98.

This bill, in order to compensate school districts for the loss in average daily attendance resulting from changing the age at which children are required to be admitted to kindergarten, would increase the number of units of average daily attendance (ADA) computed for a school district for the purpose of computing the revenue limit of the school district for each of the 2000–01 to 2014–15 fiscal years, inclusive, according to a specified formula.

This bill would require that, in calculating “changes in enrollment” between each of the 1999–2000 to 2014–15 fiscal years, inclusive, and the fiscal year immediately preceding each of those fiscal years for purposes of paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, the computation of ADA for each of the 2000–01 to 2014–15 fiscal years, inclusive, shall include the total statewide number of units of ADA computed for those fiscal years to compensate school districts for the loss in ADA resulting from this bill.



(3) Under existing law, a person between the ages of 6 and 18 years who is not exempted is subject to compulsory full-time education.

This bill would instead require that a person between the ages of 5 and 18 years who is not exempted is subject to compulsory full-time education. By increasing the responsibilities of school districts, this requirement would impose a state-mandated local program.

(4) This bill would also require the Superintendent of Public Instruction to contract for an independent evaluation of the effects of the change in state policy on the entry age for kindergarten.

(5) The bill would also require the governing board of each school district to certify to the Superintendent of Public Instruction by March 30, 2000, with assistance from local child care planning councils, that there are sufficient child care and preschool facilities to serve the ~~estimated additional 1,000,000 children that~~ *children that would have been enrolled in kindergarten* who will be offered child care and preschool under the provisions of the bill. By requiring school districts to make this certification, the bill would impose a state-mandated local program. The bill would, by June 1, 2000, require the Superintendent of Public Instruction to determine whether ~~an adequate number of school districts have certified that they have sufficient physical capacity to serve children during the school years 2000-01 to 2014-15, inclusive, and would stipulate that in the event the superintendent determines that not enough physical capacity exists, certain changes made by the bill will not be implemented.~~ *sufficient public or private preschools with an educational component exist to serve those children who would have enrolled in kindergarten.*

The bill would provide that, if the Superintendent of Public Instruction determines that 50% or more of children affected by the changes to kindergarten enrollment age made by the bill would not have access to preschool with an educational component, the changes in enrollment age in kindergarten made by the bill would not be implemented until the 2001-02 school year. The bill would also require, if a school district certifies to the superintendent that insufficient preschool

capacity exists in that district, the school district to use 50% of certain funds to increase preschool capacity in the school district and the county with jurisdiction over the school district to dedicate 30% of any revenue it receives pursuant to Proposition 10 of 1998 to increase capacity for preschools, with certain exceptions. These requirements would impose a state-mandated local program.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature hereby finds and
2 declares the following:

3 (1) By changing the age at which children generally
4 enter kindergarten, California's children will be better
5 prepared to enter into the academic environment that is
6 required by the kindergarten curriculum.

7 (2) The change described in paragraph (1) will result
8 in a decrease in the number of pupils enrolled in
9 kindergarten classes over a three-year period and that
10 decreased enrollment will affect the class size in each
11 subsequent grade level through and including the
12 2014–15 school year. It is estimated that there will be a 25
13 percent decrease in the enrollment of kindergarten
14 classes over this three-year period that will affect the
15 subsequent grade levels over the 15-year period.



1 (3) The decrease in enrollment described in
2 paragraph (2) will necessarily decrease the number of
3 units of average daily attendance that a school district
4 may claim for the purpose of computing the amount of
5 state revenue limit aid that a school district may receive,
6 thereby reducing the amount of state aid that school
7 districts receive for revenue limit purposes. Due to the
8 definition of “changes in enrollment” in Section 14022.7
9 of the Education Code, that decrease will also affect the
10 computation of the state’s minimum funding obligation
11 to school districts and community college districts under
12 paragraphs (2) and (3) of Section 8 of Article XVI of the
13 California Constitution, which requires adjustments to be
14 made to that computation for changes in enrollment.

15 (b) It is further the intent of the Legislature that
16 school districts expend the amounts allocated pursuant to
17 Section 42238.20 of the Education Code for the purposes
18 of class size reduction, school facilities, deferred
19 maintenance, and preschool programs for at-risk
20 children.

21 SEC. 2. Section 14022.7 is added to the Education
22 Code, to read:

23 14022.7. (a) Notwithstanding any other provision of
24 law, in calculating “changes in enrollment” between each
25 of the 1999–2000 to 2014–15 fiscal years, inclusive, and the
26 fiscal year immediately preceding each of those fiscal
27 years under this article for purposes of paragraph (2) or
28 (3) of subdivision (b) of Section 8 of Article XVI of the
29 California Constitution, the computation of average daily
30 attendance for each of the 2000–01 to 2014–15 fiscal years,
31 inclusive, shall include the total statewide number of
32 units of average daily attendance computed for those
33 fiscal years pursuant to Section 42238.20.

34 (b) Notwithstanding any other provision of law, in
35 calculating “changes in enrollment” between the 2014–15
36 fiscal year and the 2015–16 fiscal year under this article for
37 purposes of paragraph (2) or (3) of subdivision (b) of
38 Section 8 of Article XVI of the California Constitution, the
39 computation of average daily attendance for the 2014–15
40 fiscal year shall include the total statewide number of



1 units of average daily attendance computed for that fiscal
2 year pursuant to Section 42238.20.

3 SEC. 3. Section 42238.20 is added to the Education
4 Code, to read:

5 42238.20. (a) In order to compensate school districts
6 for the loss in average daily attendance resulting from
7 changing the age at which children are required to be
8 admitted to kindergarten pursuant to Section 48000, the
9 number of units of average daily attendance computed
10 for a school district pursuant to Section 42238.5 for the
11 purpose of computing the revenue limit of the school
12 district pursuant to Section 42238 shall be increased for
13 each of the 2000–01 to 2014–15 fiscal years, inclusive, as
14 follows:

15 (1) For each of the 2000–01 to 2014–15 fiscal years,
16 inclusive, determine the total number of units of average
17 daily attendance generated for the current fiscal year by
18 pupils enrolled in the classes of pupils who entered
19 kindergarten in the 2000–01, 2001–02, and 2002–03 school
20 years.

21 (2) Multiply the number determined in paragraph (1)
22 by 1.0909.

23 (b) The number of units of average daily attendance
24 computed pursuant to Section 42238.5 shall be increased
25 pursuant to subdivision (a) for those classes of pupils who
26 entered kindergarten in each of the 2000–01, 2001–02, and
27 2002–03 school years, as those classes move from
28 kindergarten to grade 12, as follows:

29 (1) School districts having a kindergarten and grades
30 1 to 12, inclusive, shall increase the number of units of
31 average daily attendance generated by the classes of
32 pupils who entered into kindergarten in each of the
33 2000–01, 2001–02, and 2002–03 school years, for each of the
34 2000–01 to 2014–15 fiscal years, inclusive.

35 (2) Elementary school districts having a kindergarten
36 and grades 1 to 8, inclusive, shall increase the number of
37 units of average daily attendance generated by the classes
38 of pupils who entered into kindergarten in each of the
39 2000–01, 2001–02, and 2002–03 school years, for each of the
40 2000–01 to 2010–11 fiscal years, inclusive.

1 (3) High school districts having grades 9 to 12,
2 inclusive, shall increase the number of units of average
3 daily attendance generated by the classes of pupils who
4 entered into kindergarten in each of the 2000–01, 2001–02,
5 and 2002–03 school years, for each of the 2009–10 to
6 2014–15 fiscal years, inclusive.

7 (4) Elementary school districts having a kindergarten
8 and grades 1 to 6, inclusive, shall increase the number of
9 units of average daily attendance generated by the classes
10 of pupils who entered into kindergarten in each of the
11 2000–01, 2001–02, and 2002–03 school years, for each of the
12 2000–01 to 2008–09 fiscal years, inclusive.

13 (5) High school districts having grades 7 to 12,
14 inclusive, shall increase the number of units of average
15 daily attendance generated by the classes of pupils who
16 entered into kindergarten in each of the 2000–01, 2001–02,
17 and 2002–03 school years, for each of the 2007–08 to
18 2014–15 fiscal years, inclusive.

19 SEC. 4. Section 48000 of the Education Code is
20 amended to read:

21 48000. (a) For the 1999–2000 school year, a child shall
22 be admitted to a kindergarten at the beginning of a school
23 year, or at any later time in the same year, if the child will
24 have his or her fifth birthday on or before December 2 of
25 that school year.

26 A child who will have his or her fifth birthday on or
27 before December 2 may be admitted to the
28 prekindergarten summer program maintained by the
29 school district for pupils who will be enrolling in
30 kindergarten in September.

31 (b) For the 2000–01 school year, a child shall be
32 admitted to a kindergarten at the beginning of a school
33 year, or at any later time in the same year, if the child will
34 have his or her fifth birthday on or before November 1 of
35 that school year.

36 (c) For the 2001–02 school year, a child shall be
37 admitted to kindergarten at the beginning of a school
38 year, or at any later time in the same year, if the child will
39 have his or her fifth birthday on or before October 1 of
40 that school year.



(d) For the 2002–03 school year, and each school year thereafter, a child shall be admitted to kindergarten at the beginning of a school year, or at any later time in the same year, if the child will have his or her fifth birthday on or before September 1 of that school year.

(e) The governing board of any school district maintaining one or more kindergartens may, on a case-by-case basis, admit to a kindergarten a child having attained the age of five years at any time during the school year with the approval of the parent or guardian, subject to the following conditions:

(1) The governing board determines that the admittance is in the best interests of the child.

(2) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(f) Notwithstanding subdivisions (a), (b), and (c), for the 2000–01, 2001–02, and 2002–03 school years only, a child who is five years of age on or before December 2 of the relevant school year may be admitted at the request of his or her parent or guardian to a kindergarten at the beginning of a school year, or at any later time in the same year. During these years, school districts shall be required to inform parents of their rights to enroll their child in kindergarten if that child is five years of age on or before December 2 of the relevant school year.

(g) As an alternative to subdivision (e), for the 2003–04 school years, and each school year thereafter, the governing board of any school district may establish a district tribunal, with teachers, counselors, and administrators appointed as determined by the governing board, for the purposes of determining on a case-by-case basis whether ~~extraordinary~~ circumstances exist to support the admission of a child to kindergarten in a year in which the child is not five years of age on September 1, but who will be five years of age any time during the school year *or whether circumstances exist to allow a child who is five years of age on September 1, or who will be six years of age any time during the school*

1 *year; to delay enrollment until the following school year.*
2 Upon determination that ~~extraordinary~~ circumstances
3 exist, the child may be admitted to kindergarten. The
4 governing board of the school district shall delineate what
5 ~~extraordinary~~ circumstances support an early *or late*
6 admission pursuant to this subdivision, including, but not
7 limited to, ~~advanced~~ maturity of the child, the
8 development of the child, and the achievement level of
9 the child. The tribunal may be the same tribunal
10 established pursuant to subdivision (g) of Section 48010.

11 SEC. 5. Section 48003 is added to the Education Code,
12 to read:

13 48003. Commencing in the 2000–01 fiscal year, a
14 school district that offers kindergarten through third
15 grade shall provide outreach to the parents or guardians
16 of children from three to five years of age to notify them
17 of the methods available to assist in determining the
18 readiness of their child to enter school and the available
19 child care and preschool programs. The school district
20 shall provide assistance regarding preparing children for
21 school to parents or guardians who request assistance.
22 This assistance shall be based on generally accepted child
23 development theory and may include readiness tests and
24 professional consultations with teachers and school
25 administrators. State mandated costs pursuant to this
26 section shall be funded by the savings generated by the
27 county pursuant to Section 42238.20.

28 SEC. 6. Section 48010 of the Education Code is
29 amended to read:

30 48010. (a) For the 1999–2000 school year, a child shall
31 be admitted to the first grade of an elementary school
32 during the first month of a school year if the child will
33 have his or her sixth birthday on or before December 2
34 of that school year.

35 (b) For the 2000–01 school year, a child shall be
36 admitted to the first grade of an elementary school during
37 the first month of a school year if the child will have his
38 or her sixth birthday on or before November 1 of that
39 school year.

1 (c) For the 2001–02 school year, a child shall be
2 admitted to the first grade of an elementary school during
3 the first month of a school year if the child will have his
4 or her sixth birthday on or before October 1 of that school
5 year.

6 (d) For the 2002–03 school year, and each school year
7 thereafter, a child shall be admitted to the first grade of
8 an elementary school during the first month of a school
9 year if the child will have his or her sixth birthday on or
10 before September 1 of that school year.

11 (e) For good cause, the governing board of a school
12 district may permit a child of proper age to be admitted
13 to a class after the first school month of the school term.

14 (f) Notwithstanding subdivisions (a), (b), and (c), for
15 the 2000–01, 2001–02, and 2002–03 school years only, a
16 child who is six years of age on or before December 2 of
17 the relevant school year may be admitted at the request
18 of his or her parent or guardian to the first grade of an
19 elementary school during the first month of the relevant
20 school year. During these years, school districts shall be
21 required to inform parents of their right to enroll their
22 child in first grade if that child is six years of age on or
23 before December 2 of the relevant school year.

24 (g) For the 2003–04 school year, and each school year
25 thereafter, the governing board of any school district may
26 establish a district tribunal, with teachers, counselors, and
27 administrators appointed as determined by the
28 governing board, for the purposes of determining on a
29 case-by-case basis whether ~~extraordinary~~ circumstances
30 exist to support the admission of a child to first grade in
31 a year in which the child is not six years of age on
32 September 1, but who will be six years old on or before
33 December 2 of that school year. Upon a determination
34 that ~~extraordinary~~ circumstances exist, the child may be
35 admitted to first grade. The governing board of the school
36 district shall delineate what ~~extraordinary~~ circumstances
37 support an early admission pursuant to this subdivision,
38 including, but not limited to, advanced maturity of the
39 child, the development of the child, and the achievement

1 level of the child. The tribunal may be the same tribunal
2 established pursuant to subdivision (g) of Section 48000.

3 SEC. 7. Section 48010.1 is added to the Education
4 Code, to read:

5 48010.1. (a) The Superintendent of Public
6 Instruction shall contract for an independent
7 longitudinal evaluation regarding the effects of the
8 change in the state policy on the entry age for
9 kindergarten set forth in Section 48000. The primary
10 purpose of the evaluation is to determine whether this
11 entry age change results in improved readiness for school
12 and an improvement in academic achievement among
13 those children born between September 2 and
14 December 3 who, beginning in the 2000–01 fiscal year, are
15 directly affected by the date change and required to
16 enter kindergarten a year later. The evaluation shall
17 consider the change's effects on all of the following:

18 (1) Academic achievement, as measured by
19 standardized tests, particularly among children born
20 between September 1 and December 3 and children born
21 between June 1 and August 30, on a longitudinal basis.

22 (2) Behavioral problems, as measured by objective
23 data such as suspension and expulsion rates, particularly
24 among children born between September 1 and
25 December 3 and children born between June 1 and
26 August 30, on a longitudinal basis.

27 (3) Academic problems, as measured by referrals to
28 special education and remedial programs, particularly
29 among children born between September 1 and
30 December 3 and children born between June 1 and
31 August 30, on a longitudinal basis.

32 (4) Access to child care and preschool by parents or
33 guardians of children enrolling in kindergarten,
34 beginning in the year 2000–01.

35 (5) Overall retention rates in kindergarten.

36 (b) The Superintendent of Public Instruction shall
37 report to the Legislature on the results of its evaluation,
38 including any recommendations for changes in state
39 policy, by January 1, 2011. It is the intent of the

1 Legislature that funding for this evaluation be included
2 in the Budget Act or a bill related to the Budget Act.

3 SEC. 8. Section 48010.2 is added to the Education
4 Code, to read:

5 48010.2. (a) The governing board of each school
6 district shall certify to the Superintendent of Public
7 Instruction, by March 30, 2000, with assistance from local
8 child care planning councils, that there are sufficient
9 child care and preschool facilities to serve the ~~estimated~~
10 ~~additional 100,000 children that~~ *children who would have*
11 *been enrolled in kindergarten if changes in enrollment*
12 *age would not have been made by this act to Section 48000*
13 *and who will be offered child care and preschool under*
14 *the act adding this section. By June 1, 2000, the*
15 *Superintendent of Public Instruction shall determine*
16 *whether an adequate number of school districts have*
17 *certified that they have sufficient physical capacity to*
18 *serve these children during the school years 2000-01 to*
19 *2014-15, inclusive.*

20 ~~(b) In the event that the Superintendent of Public~~
21 ~~Instruction determines that not enough physical capacity~~
22 ~~exists based on the information received pursuant to~~
23 ~~subdivision (a), the changes made to Sections 48000 and~~
24 ~~48010 by the act adding this section shall not be~~
25 ~~implemented.~~ *sufficient public or private preschools with*
26 *an educational component exist to serve children who*
27 *would have enrolled in kindergarten if the changes made*
28 *to Section 48000 by this act were not implemented in the*
29 *2000-01 school year. The Superintendent of Public*
30 *Instruction shall make this information available to the*
31 *Chief Clerk of the Assembly for publication in the Daily*
32 *Journal and to school districts.*

33 *(b) If the Superintendent of Public Instruction*
34 *determines that 50 percent or more of the children*
35 *affected by the changes for the kindergarten enrollment*
36 *age made to Section 48000 by the act adding this section*
37 *will not have access to preschool with an educational*
38 *component, those changes shall not be implemented*
39 *until the 2001-02 school year.*

1 (c) (1) If the changes to Section 48000 are not
2 implemented until the 2001–02 school year pursuant to
3 subdivision (b) and a school district and the local child
4 care planning council jointly certify to the
5 Superintendent of Public Instruction that insufficient
6 preschool capacity exists in that district, on and after June
7 1, 2001, each of the following shall occur:

8 (A) The school district shall use 50 percent of any
9 funds appropriated pursuant to Section 42238.20 to
10 increase capacity in the school district of preschools with
11 an educational component, including preschool provided
12 by the school district and community-based preschool.
13 The school district may use less than 50 percent of these
14 funds if the school district and the local child care
15 planning council agree that using less than 50 percent of
16 the funds will not result in insufficient preschool capacity
17 to serve pupils in that school district.

18 (B) The county with jurisdiction over the school
19 district shall dedicate 30 percent of any revenue it
20 receives pursuant to Division 108 (commencing with
21 Section 130100) of the Health and Safety Code to increase
22 capacity in the school district of preschools with an
23 educational component to serve pupils who would have
24 been enrolled in kindergarten if the changes made to
25 Section 48000 by the act adding this section were
26 implemented in the 2000–01 school year. The county may
27 use less than 30 percent of these funds if the school district
28 and the local child care planning council agree that using
29 less than 50 percent of the funds will not result in
30 insufficient preschool capacity to serve pupils in that
31 school district.

32 (2) If a school district and the local child care planning
33 council that had certified that insufficient preschool
34 capacity existed pursuant to paragraph (1) jointly certify
35 to the Superintendent of Public Instruction that sufficient
36 preschool capacity exists in that district, the requirements
37 imposed pursuant to subparagraphs (A) and (B) of
38 paragraph (1) shall no longer apply.

39 SEC. 9. Section 48200 of the Education Code is
40 amended to read:

1 48200. (a) A person between the ages of 5 and 18
 2 years not exempted under this chapter or Chapter 3
 3 (commencing with Section 48400) is subject to
 4 compulsory full-time education. A person subject to
 5 compulsory full-time education and a person subject to
 6 compulsory continuation education not exempted under
 7 Chapter 3 (commencing with Section 48400) shall attend
 8 the public full-time day school or continuation school or
 9 classes and for the full time designated as the length of the
 10 schoolday by the governing board of the school district in
 11 which the residency of either the parent or legal guardian
 12 is located and a parent, guardian, or other person having
 13 control or charge of the pupil shall send the pupil to the
 14 public full-time day school or continuation school or
 15 classes and for the full time designated as the length of the
 16 schoolday by the governing board of the school district in
 17 which the residence of either the parent or legal guardian
 18 is located.

19 (b) Unless otherwise provided for in this code, a pupil
 20 may not be enrolled for less than the minimum schoolday
 21 established by law.

22 SEC. 10. The Legislature finds and declares that
 23 Section 2 of this act is consistent with subdivision (f) of
 24 Section 8 of Article XVI of the California Constitution and
 25 is required by subdivision (d) of Section 41204 of the
 26 Education Code, in order to neutralize the effect of the
 27 impact that the change of the age that a pupil may enter
 28 kindergarten under Section 4 of this act will have an
 29 average daily attendance used for the purpose of
 30 calculating changes in enrollment pursuant to
 31 paragraphs (2) and (3) of subdivision (b) of Section 8 of
 32 Article XVI of the California Constitution.

33 SEC. 11. Notwithstanding Section 17610 of the
 34 Government Code, if the Commission on State Mandates
 35 determines that this act contains costs mandated by the
 36 state, reimbursement to local agencies and school
 37 districts for those costs shall be made pursuant to Part 7
 38 (commencing with Section 17500) of Division 4 of Title
 39 2 of the Government Code. If the statewide cost of the
 40 claim for reimbursement does not exceed one million

1 dollars (\$1,000,000), reimbursement shall be made from
2 the State Mandates Claims Fund.

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